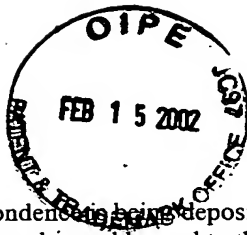


Docket No.: A-3089



DAC

#3

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.

By: 

Date: January 24, 2002

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Martin Mayer et al.
Applic. No. : 10/034,915
Filed : November 21, 2001
Title : Method for Presetting an Ink Feed in Multi-Color Printing
Attention : Office of Petitions

PETITION UNDER 37 C.F.R. 1.10(c)

Hon. Commissioner of Patents and Trademarks,
Washington, D. C. 20231

Sir:

RECEIVED
FEB 22 2002
OFFICE OF PETITIONS

The facts leading to this petition are as follows:

The above-identified application was filed by the "Express Mail Post Office to Addressee" service of the US PS by being deposited on November 21, 2001. Therefore, the filing date accorded to this application by the Office should be November 21, 2001. However, the postcard which accompanied the application was returned by the PTO showing an incorrect filing date of January 2, 2002.

Enclosed herewith, in accordance with Rule 1.10 (c), is:

- a copy of the cover sheet accompanying the application papers with a mailing certificate under 37 C.F.R. 1.10 properly executed on November 21, 2001
- a copy of the Express Mail Label with a Post Office stamp of November 21, 2001
- a copy of the postcard.
- a declaration by the mail clerk

In view of the foregoing, applicants request that the filing date be corrected to show November 21, 2001.

I hereby declare that the foregoing facts have been stated on a personal knowledge basis and that the above-noted paper was submitted timely in accordance with the rules and regulations. I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Respectfully submitted,



For Applicants

Date: January 24, 2002

Lerner and Greenberg, P.A.
Post Office Box 2480
Hollywood, FL 33022-2480
Tel: (954) 925-1100
Fax: (954) 925-1101
/bb

RALPH E. LOCHER
REG. NO. 41,947

RECEIVED
FEB 2 2 2002
OFFICE OF PETITIONS

Docket No.: A-3089



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Martin Mayer, Nikolaus Pfeiffer
Applic. No. : 10/034,915
Filed : November 21, 2001
Title : Method for Presetting an Ink Feed in Multi-Color Printing
Attention : Office of Petitions

DECLARATION
TO ACCOMPANY PETITION UNDER 37 C.F.R. 1.10(c)

I, Michael J. Burns, hereby declare that:

- ❖ I have first-hand knowledge that the above-identified application was sent by Express Mail to the Patent and Trademark Office on November 21, 2001.
- ❖ I personally signed the mailing certificate on the cover sheet which accompanied the new US application.
- ❖ I have reviewed the pertinent pages of the outgoing mail log for November 21, 2001 and the pages show that the enclosed papers were indeed mailed by Express Mail on that date.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.


Michael J. Burns

Date: January 24, 2002

RECEIVED
FEB 22 2002
OFFICE OF PETITIONS